REMARKS

Claims remaining in the present application are Claims 1-22.

35 U.S.C. §102

Claims 1, 3-9, 11, and 13-16 are rejected under 35 U.S.C. §102 as being

anticipated by Wasilewski, U.S. Pat. No. 5,600,378 (hereinafter, Wasilewski).

The rejection is respectfully traversed for the following reasons.

Claim 1 recites:

> In a digital television receiving system, a method of sharing
> information comprising the steps of:
> a) a first device receiving a digital television bit-stream;
> b) a second device setting a value in an attribute field of a
> command, said command for requesting information regarding said
> bit-stream;
> c) said second device setting at least one flag of a plurality of
> flags in said command, said step of setting defining the type of
> information said attribute field describes;
> d) said second device issuing said command to said first
> device; and
> e) said first device responsive to said value of said flag of said
> command, returning one table of a plurality of tables to said second
> device.

Anticipation requires the presence in a single prior art reference

disclosure of each and every element of the claimed invention, *arranged as*

in the claim (Lindemann Maschinefabrik GmbH v. American Hoist &

Derrick Co., 221 USPQ 481, 485 (Fed. Cir. 1984)(emphasis added)).

Applicants respectfully submit that Wasilewski fails to disclose each and

every element of Claim 1, arranged as in the claim.

Applicants have claimed that a flag is set in <u>a command that is for</u>
<u>requesting information</u>. The rejection asserts that a flag is set in Wasilewski's

Logical Channel Table (LCT). Applicants respectfully assert that the Logical

Channel Table (LCT) taught by Wasilewski is not *a command for requesting*

information regarding said bit-stream, as claimed. That is, Wasilewski's LCT

is not for requesting information. In contrast, Wasilewski's LCT provides

information. For example, Wasilewski teaches that "the LCT provides a

mapping between the logical channel number representing a service and the

transport stream/program number on which the service can be found"

(Wasilewski, col. 5, lines 37-40). Applicant asserts that because the Logical

Channel Table (LCT) is not a *command for requesting information regarding*

said bit-stream, as claimed, the 35 U.S.C. §102 rejection has been overcome.

Furthermore, Applicants do not understand the rejection to even

assert that Wasilewski's LCT is a *command for requesting information*

regarding said bit-stream, as claimed. That is, rather than asserting that

the LCT is a command for requesting information regarding the bit-

stream, the rejection asserts that information in the LCT table affects

requests that occur later on. In the response to arguments section of the

rejection, the rejection asserts that the setting of a flag in the LCT defines

the type of information in the LCT, which in turn, causes a different

internal request than if the flag is not set in the LCT. However, Applicants

respectfully assert that, even if for the sake of argument that information in the LCT does lead to a chain of events affecting internal requests, such a teaching in Wasilewski would not anticipate the limitations of Claim 1. This is because Claim 1 recites that the second device sets a flag in a command for requesting information regarding said bit-stream, which is not taught nor suggested by Wasilewski.

Claim 1 also recites that the device that sets the flag in the command for requesting information about the bitstream receives a table, in response to the request. Applicants note that limitation e) of Claim 1 recites, "said first device responsive to said value of said flag of said command, returning one table of a plurality of tables to said second device." Applicants further note that the second device is the same device that is recited in Claim 1 as setting the flag in the command for requesting information regarding said bit-stream. Applicants respectfully assert that the rejection fails to present a prima facie case of anticipation of Claim 1 because Wasilewski fails to teach these limitations. This is because in the rejection to Claim 1 under the heading, "Claim Rejections - 35 USC § 102", the rejection merely asserts that, "Wasilewski shows returning a table to the second device." However, as previously discussed, Applicants have claimed more than returning a table to the second device. Thus, the rejection fails to present a prima facie case of anticipation in the rejection of Claim 1.

In paragraph 2 of the response to the Applicant's Arguments, the rejection appears to address the failure to present a prima facie case of anticipation with respect to the limitation, "said first device responsive to said value of said flag of said command, returning one table of a plurality of tables to said second device." However, Applicant respectfully submits that the rejection's arguments do not rectify the errors in the rejection under 35 U.S.C. §102. For example, the rejection asserts that, "depending on the value of the flag [in the LCT table], a different table is sent for internal processing to display the correct channel." However, the rejection does not indicate where the table is sent, much less assert that *the table is sent to the device that requested the information about the bitstream,* as claimed.

Applicants note that the rejection goes on to asset that, "if the CCI flag is set, a table is returned to tell the *tuner and decoder* to tune to a different stream." Again, the rejection does not assert that the table is returned *to a device that set a flag in a command for requesting information about the bitstream,* as Applicants have claimed.

Furthermore, Applicants respectfully assert that the rejection lacks clarity as to what element in Wasilewski purportedly teaches the claimed second device that sets the flag in the command for requesting information about the bitstream and receives a table responsive to the request. Under the 35 USC §102 rejection, the rejection asserts that Wasilewski's "intermediate

controller" is the claimed second device. Applicants note that the rejection states that the "intermediate controller" issues commands to the receiving device or tuner. However, in the response to the Applicant's Argument section, the rejection may be asserting that the tuner and decoder are the second device. (Rejection asserts that if the CCI flag is set, a table is returned to tell the *tuner and decoder* to tune to a different stream.) Thus, the rejection may be asserting that the table is sent to the tuner. Applicants respectfully assert that the rejection must be clear and consistent as to which element in Wasilewski purportedly teaches the Applicant's claimed second device. <u>Applicants respectfully request, for clarification, that the rejection identify the "intermediate controller" in Wasilewski.</u>

Applicants maintain arguments from a previous response, which for convenience are presented below under headings, "<u>Sending LCN Does Not Constitute Setting Flag Defining Type Of Information," and "Tuning to Frequency Does Not Constitute Returning a Table Responsive to the Value of a Flag that Defines the Type of Information."</u>

<center>I</center>

<u>Sending LCN Does Not Constitute Setting Flag Defining Type Of Information</u>

Wasilewski fails to teach or suggest setting at least one flag of a plurality of flags in a command, the step of setting defining the type of information the attribute field describes, as claimed. Figure 1 of Wasilewski

depicts a remote control 26 and an EPG (Electronic Programming Guide) 28 each capable of sending a logical channel number (LCN) to a service selection switch 30. Wasilewski states that during operation, a subscriber either selects a channel directly using the remote control 26 or selects a program from the EPG 28. In either case, the LCN, which defines a service by its transport stream ID (TSID) and program number (PN), is provided to the service selection switch 30 (col. 6, lines 23-28).

Applicants respectfully submit that the sending of the LCN of Wasilewski does not constitute a device setting at least one flag of a plurality of flags in a command, the step of setting defining the type of information the attribute field describes, as claimed. For example, the Applicant does not understand the LCN to comprise a flag that defines the type of information in an attribute field.

Figure 1 of Wasilewski also depicts a tuner 12 receiving an input data stream. The tuner 12 is directed to tune to a particular frequency, as indicated in Figure 1. To derive the frequency, the decoder uses the TSID to look up the frequency in the Network Information Table (NIT) 36 (col. 9, lines 31-37). This frequency is then sent to the tuner 12. Applicants respectfully assert that sending the frequency to the tuner 12 does not constitute a device setting at least one flag of a plurality of flags in a

command, the step of setting defining the type of information said attribute field describes, as claimed.

II

Tuning to Frequency Does Not Constitute Returning a Table Responsive to the Value of a Flag that Defines the Type of Information

Claim 1 further recites that the first device, response to the value of the flag of the command, returns a table of a plurality of tables to said second device. The rejection asserts that a table is returned to the second device (col. 9, lines 20-42). However, the rejection fails to assert the claimed limitation of the table being sent responsive to the value of the flag, as claimed. Moreover, Applicants respectfully assert that a table is not sent responsive to a value of a flag of the command, as claimed. In the cited passage, Wasilewski may teach that the tuner tunes to a new frequency, in response to being directed to do so by the decoder. The decoder may then be able to access various tables from the transport stream at this frequency (col. 9, lines 36-42). However, the tuner is not responsive to a value of a flag in a request, as claimed. Applicants note that Claim 1 recites that the flags define the type of information in the attribute field. Applicants respectfully assert that being directed to tune to a given frequency is not responding to a value of a flag that defines a type of information in an attribute field, as claimed.

For the foregoing rationale, Claim 1 is neither taught nor suggested by Wasilewski. As such, allowance of Claim 1 is earnestly requested.

Claim 11 recites, in part:

> a first device having a memory unit for storing a command, wherein said command has a plurality of flags and a plurality of attribute fields, wherein at least one of said attribute fields is operable to store information of different types, and wherein said plurality of flags are configurable to identify the type of information held in said plurality of attribute fields

For at least the reasons discussed in part I of the response to Claim 1, Claim 11 is neither taught nor suggested by Wasilewski. As such, allowance of Claim 11 is earnestly requested.

Claims 3-9 and 13-16 depend from Claims 1 and 11, which are believed to be allowable for the foregoing reasons. As such, Claims 3-9 and 13-16 are believed to be allowable.

35 U.S.C. §103

Claims 2, 10, 12, and 17-22 are rejected under 35 U.S.C. §103 as being unpatentable over Wasilewski. The rejection is respectfully traversed for the following reasons.

Claim 17 recites, in part:

> a) a first device issuing a request for information regarding the content of a digital television bit-stream, said request comprising a command having a plurality of flags which specify the type of information requested and a plurality of attribute fields configurable

to hold information of different types, wherein the type of information in the attribute field is specified by said plurality of flags;

...

c) based on said plurality of flags, said second device determining one table of a plurality of tables which the value in the valid attribute signifies.

For at least the reasons discussed the response to Claim 1, Claim 17 is neither taught nor suggested by Wasilewski. As such, allowance of Claim 17 is earnestly requested.

Claims 2, 10, 12, and 18-22 depend from Claims 1, 11, and 17, which are believed to be allowable for the foregoing reasons. As such, Claims 2, 10, 12, and 18-22 are believed to be allowable.

CONCLUSION

Based on the amendments presented above, it is respectfully submitted that Claims 1-22 overcome the rejections of record and, therefore, allowance of Claims 1-22 is respectfully solicited. Should the Examiner have a question regarding the instant amendment and response, the Applicant invites the Examiner to contact the Applicant's undersigned representative at the below listed telephone number.

Respectfully submitted,
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